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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MARSHALL, GERSTEIN & BORUN
6300 SEARS TOWER
233 SOUTH WACKER
CHICAGO, IL 60606-6357

EXAMINER

ASHBURN, STEVEN L

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/761,031

Applicant(s)

ROWE, RICHARD E.

Examiner

Steven Ashburn

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2-5, 7, 9-13, 15, 17-21, 23, 25-29, 31, 33-37, 39, 41-44, 46, 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slomiany et al., U.S. Patent 6,159,098 (Dec. 12, 2000) (hereinafter "*Slomiany*") in view of Gilmore et al., U.S. Patent 6,347,996 B1 (Feb. 19, 2002) (hereinafter "*Gilmore*").

In regards to claims 1, 2, 7, 9, 10, 15, 17, 18, 21, 23, 25, 26, 31, 33, 34, 39, 41 and 46, *Slomiany* discloses an electronic gaming device allowing a user to play a main gambling game and a bonus round game wherein the bonus round is triggered by a predetermined outcome in the main game, a value is dispensed to the user as a result of the bonus game and the player is returned to the main game. *See col. 1:66-2:18, 4:42-45, 6:3-6, 9:14-21, 12:28-40.* The device includes a display, input devices, currency-accepting mechanism, value-dispensing mechanism, and programmable controller capable of executing a variety of video games including poker, slots, blackjack, keno and bingo. *See fig. 1(a)(b), col. 2:61-4:12, 12:41-54.* In regards to the claims, *Slomiany* discloses or suggests all the features of the claims except a display unit capable of generating images associated with a main game and a bonus game. Regardless of the deficiency, the feature was known in the art at the time of the invention and would have been obvious to an artisan in view of *Gilmore*.

Gilmore discloses a video gaming device wherein a single color display generates images associated with a main game and a bonus game. *See fig. 1.* In view of *Gilmore*, it would have been

Art Unit: 3714

obvious to one of ordinary skill in the art at the time of the invention to modify *Slomiany*, wherein electronic gaming device allowing a user to play a main gambling game and a bonus round game wherein the bonus round is triggered by a predetermined outcome in the main game, a value is dispensed to the user as a result of the bonus game and the player is returned to the main game, to add the feature of a display unit capable of generating images associated with a main game and a bonus game to reduce the size and cost of the device by displaying both the main game and the bonus game on a single display.

In regards to claims 3, 5, 11, 13, 19, 21, 27, 29, 35, 37, 42 and 44, the gaming system described by the combination of *Slomiany* and *Gilmore* discloses several input devices including an electronic reader capable of reading an item having data stored thereon. *See Slomiany, fig. 1(a)*. The game controller in *Slomiany* is programmed to cause the value dispensing mechanisms to dispense value after the bonus payout has been determined based on the data received from the read from the electronic reader or tracking system. *See col. 9:14-21*. In particular, the bonus payout dispensed to the player is based upon the number of credits wagered in the main game as entered though the input devices. *See Slomiany, fig. 9, 10; col. 10:10-63*.

In regards to claims 4, 12, 20, 28, 23 and 43, the gaming system described by the combination of *Slomiany* and *Gilmore* discloses all the features of the claim except a player tracking system wherein the game controller is programmed to transmit data stored on a item to the player tracking system via an interface and to receive information related to the user associated with the item having data stored thereon from the player tracking system via the interface. Regardless of the deficiency, such player tracking systems were notoriously well known in the art at the time of the invention. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Slomiany*, wherein a data items read though an electronic reader, to add a player tracking system wherein the game controller is

Art Unit: 3714

programmed to transmit data stored on a item to the player tracking system via an interface and to receive information related to the user associated with the item having data stored thereon from the player tracking system via the interface. As is notoriously well known in the art, the modification would enhance the gaming system by allowing the casino operators to track player's gambling habits and thereby enhance revenues by modifying operations in accordance with the data collected. Furthermore, player-tracking systems enhance operators' ability to target marketing and "comp" awards. Still furthermore, they increase security by improved transaction monitoring. Even still furthermore, they enhance the gaming device's convenience by freeing users from carrying currency and allowing them to access remote sources of credits.

In regards to claims 48 and 49, *Slomiany* discloses storing game data within programmed memory wherein the memory is semi-conductor memory (e.g. ROM). *See col. 3:37-42. (Claim 48)* It is notoriously well known in the art to store game data within programmed memory wherein the memory is optically-readable memory (e.g. CD-ROM). *(Claim 49)*

Claims 6, 14, 22, 30, 38 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Slomiany* in view of *Gilmore*, as applied to claims, 1, 2-5, 7, 9-13, 15, 17-21, 23, 25-29, 31, 33-37, 39, 41-44, 46, 48 and 49 above, in further view of Burns et al., U.S. Patent 6,048,269 (Apr. 11, 2000) (hereinafter "*Burns*") and Saunders et al., U.S. Patent 6,340,331 B1 (Jan. 22, 2002) (hereinafter "*Saunders*").

The gaming system described by the combination of *Slomiany* and *Gilmore* discloses all the features of the claim except a value dispensing mechanism that is a printing apparatus and the dispense value is an award ticket printed and dispensed by the printing apparatus and having indicia of at least one of casino name, ticket type, a validation number, a bar code, a date of issuance, a time of issuance,

Art Unit: 3714

redemption instructions, redemption restrictions, and a description of the award. Regardless of the deficiencies, these features were known in the art at the time of the invention and would have been obvious to an artisan in view of *Burns* and *Saunders*.

Burns discloses a coinless gaming system wherein the value dispensing mechanism is a printing apparatus and the dispensed value is an award ticket printed and dispensed by the printing apparatus and having indicia including casino name (i.e. logo), ticket type, a validation number, a bar code, a date of issuance, a time of issuance and a description of the award. *See fig. 1-4*. *Saunders* discloses a similar system wherein printed tickets additionally include redemption instructions and redemption restrictions. *See fig. 1-3*.

In view of *Burns* and *Saunders*, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify gaming system described by the combination of *Slomiany* and *Gilmore* to add a value dispensing mechanism that is a printing apparatus and the dispense value is an award ticket printed and dispensed by the printing apparatus and having indicia of at least one of casino name, ticket type, a validation number, a bar code, a date of issuance, a time of issuance, redemption instructions, redemption restrictions, and a description of the award. As suggested by *Burns*, the use of printed tickets enhances the gaming device by increasing convince and security for both the players and operators. *See col. 2:66-4:26*.

Claims 8, 16, 24, 32, 40 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Slomiany* in view of *Gilmore*, as applied to claims, 1, 2-5, 7, 9-13, 15, 17-21, 23, 25-29, 31, 33-37, 39, 41-44, 46, 48 and 49 above, in further view Adams, U.S. Patent 6,113,098 (Sep. 5, 2000) (hereinafter "*Adams*").

The gaming system described by the combination of *Slomiany* and *Gilmore* discloses all the features of the claim except a value dispensed by the value dispensing mechanism being at least one of

Art Unit: 3714

ticket redeemable for cash, a ticket for a show, a ticket for a meal, a ticket for casino services, a ticket for hotel services. Regardless of the deficiencies, these features were known in the art at the time of the invention and would have been obvious to an artisan in view of *Adams*.

Adams discloses a gaming system with a supplemental ticket dispenser wherein a gaming device that provides awards from a group consisting of coins, currency, credits or redeemable tickets. *See fig. 1; col. 1:32-46*. The tickets may be redeemed for various goods or services including meals, rooms, shows and free game play. *See col. 2:34-47*.

In view of *Adams*, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the gaming system described by the combination of *Slomiany* and *Gilmore* to add a value dispenser mechanism to dispense tickets redeemable for cash, a ticket for a show, a ticket for a meal, a ticket for casino services, a ticket for hotel services to enhance operators' revenues by marketing additional services to users by awarding them tickets redeemable for non-gaming goods and services and thereby induce users to spend more money at other portions operator's business.

Conclusion

The following prior art of record is not relied upon but is considered pertinent to applicant's disclosure:

- Fertitta, III et al., U.S. Patent 6,302,793 B1 (Oct. 16, 2001) discloses a player tracking system using encoded cards and providing support for casino "comps".
- Sakamoto, U.S. Patent 6,315,663 B1 (Nov. 13, 2001) discloses a gaming device using either semi-conductor memory or optically-readably memory. *See col. 29:6-21*.

Art Unit: 3714

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Ashburn whose telephone number is 703 305 3543. The examiner can normally be reached on Monday thru Friday, 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9302 for regular communications and 703 872 9303 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1078.



Steven Ashburn
September 28, 2002



S. THOMAS HUGHES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700